

REMARKS

Applicants wish to thank the Examiner for the review of the present application. Claim 1 has been amended to include deriving quantitative information on trabecular bone structure from the x-ray image. For support in the specification, see, for example, page 2, line 21-24. No new matter has been added.

35 U.S.C. §102

Claims 1-4, 8-10, 12, 18-20, 22-26 and 51-52 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent no. 6,315,553 (Sachdeva et al., hereinafter Sachdeva). Amended claim 1 includes analyzing the x-ray image at the remote computer, thereby deriving quantitative information on trabecular bone structure from the x-ray image.

Sachdeva discloses creating a three dimensional digital model from a patient's orthodontic structure, x-rays of the patient's orthodontic structure, photographs, and/or other patient information (see Sachdeva at the Abstract and col. 6, lines 43-48). More particularly, Sachdeva teaches scanning orthodontic structures including the patients teeth, gums, and associated soft tissue to derive an orthodontic treatment that involves displacement of the patient's orthodontic structure (see Sachdeva at col. 12, lines 33-56). However, nowhere does Sachdeva teach or suggest deriving quantitative information on trabecular bone structure from the x-ray image, as required by amended claim 1.

Since Sachdeva fails to teach or suggest analyzing the x-ray image at the remote computer, thereby deriving quantitative information on trabecular bone structure from the x-ray image, as required by amended claim 1, claim 1, as amended, is allowable over the Sachdeva. Claims 2-4, 8-10, 12, 18-20, 22-26, and 51-52, which depend from claim 1 and add further limitations, are likewise not anticipated by Sachdeva.

35 U.S.C. §103(a)

Claims 13-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva in view of U.S. patent no. 6,463,344 (Pavloskaia et al., hereinafter Pavloskaia). Pavloskaia discloses a computer-implemented method for generating a computer model

of one or more teeth by receiving a digital data set of meshes representing the teeth (See Abstract). Neither Sachdeva nor Pavloskaia teach or suggest analyzing the x-ray image at the remote computer, thereby extracting trabecular structure from an image of said subject, as required by claims 13-17 (which depend on claim 1). Since none of these references teach this required limitation of claims 13-17, claims 13-17 are deemed nonobvious over the cited references.

Claims 21 and 27-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva. As stated above, Sachdeva fails to teach or suggest analyzing the x-ray image at the remote computer, thereby extracting trabecular structure from an image of said subject, as recited in claim 1. As claims 21 and 27-31 depend from claim 1, an element of these claims is not disclosed by Sachdeva. Therefore, claims 21 and 27-31, are not obvious under Sachdeva.

Claims 48-50 and 53-55 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sachdeva in view of U.S. patent no. 5,657,369 (Stein et al., hereinafter Stein. Stein discloses an x-ray bone densitometry system having an apparatus for positioning body parts (See Abstract). Neither Sachdeva nor Stein teach or suggest analyzing the x-ray image at the remote computer to derive quantitative information on trabecular bone from the x-ray image, as claimed in claim 1, and by their dependency claims 48-50 and 53-55. Therefore, claims 48-50 and 53-55 are not obvious under Sachdeva in view of Stein.

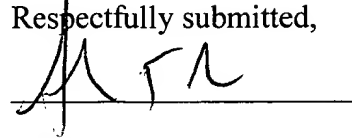
It is believed that the application is now in order for allowance and Applicants respectfully request that a notice of allowance be issued. It is believed that a four month extension of time is required. Applicants respectfully petition for such an extension. Applicant hereby petitions for same and requests that any extension or other fee required for timely consideration of this application be charged to Deposit Account No. 19-4972.

Application No. 09/942,528
Amendment dated September 25, 2006
Reply to final office action dated September 6, 2005

The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously.

DATE: September 25, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AJS', is written over a horizontal line.

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